

MINUTES

MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON LOCAL GOVERNMENT

Call to Order: Chairman John Esp, on March 11, 2009 at 3:00 P.M.,
in Room 405 Capitol

ROLL CALL

Members Present:

Sen. John Esp, Chairman (R)
Sen. Jeff Essmann, Vice Chairman (R)
Sen. Gregory D. Barkus (R)
Sen. Ron Erickson (D)
Sen. Steven Gallus (D)
Sen. Kim Gillan (D)
Sen. Verdell Jackson (R)
Sen. Jesse Laslovich (D)
Sen. Bruce Tutvedt (R)

Members Excused: None

Members Absent: None

Staff Present: Leanne Heisel, Legislative Branch
Rachel Saul, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 45, 2/20/2009; HB 486, 3/2/2009;
HB 545, 3/2/2009; HB 563, 3/2/2009;
HB 623, 3/2/2009

Executive Action: HB 324, HB 45, HB 545

HEARING ON HB 486

Opening Statement by Sponsor:

00:00:58 Rep. Gary MacLaren (R), HD 89, opened the hearing on HB 486, Generally revise land use and planning laws.

Proponents' Testimony:

00:02:12 Tim Davis, Montana Smart Growth Coalition

[EXHIBIT\(los54a01\)](#)

00:10:56 Glenn Oppel, Montana Association of Realtors (MAR)

[EXHIBIT\(los54a02\)](#)

00:13:10 Greg Sullivan, Planning Director, Gallatin County

[EXHIBIT\(los54a03\)](#)

00:15:19 Steve White, Gallatin County Commissioner

[EXHIBIT\(los54a04\)](#)

00:22:47 Linda Stoll, Montana Association of planners,
Representing Harold Blattie, MACo

00:24:14 Dustin Stewart, Montana Building Industry Association

00:25:03 John McDonald, City of Missoula

Opponents' Testimony:

00:25:45 None

Informational Testimony:

00:25:48 None

Questions from Committee Members and Responses:

00:25:52 Sen. Tutvedt

00:26:27 Mr. Opple

00:26:52 Sen. Erickson

00:27:15 Ms. Stoll

00:27:29 Chairman Esp

00:28:00 Mr. White

00:28:56 Chairman Esp

00:29:11 Mr. White

00:29:30 Sen. Essmann

00:29:38 Sen. Jackson

00:30:03 Mr. White

00:31:48 Sen. Jackson

00:31:55 Mr. White

00:32:00 Chairman Essmann

00:32:46 Ms. Stoll

00:32:56 Chairman Essmann

00:33:04 Ms. Stoll

00:33:38 Sen. Esp

00:33:50 Mr. Davis

Closing by Sponsor:

00:34:47 Rep. MacLaren

HEARING ON HB 623

Opening Statement by Sponsor:

00:36:27 Rep. Mike Milburn (R), HD 19, opened the hearing on HB 623, Revise laws governing disposal of county and city land.

Proponents' Testimony:

00:37:11 Joe Briggs, County Commissioner

00:38:07 Alec Hansen, Montana League of City and Towns (MLCT)

Opponents' Testimony:

00:39:50 None

Informational Testimony:

00:39:54 None

Questions from Committee Members and Responses:

00:39:58 Sen. Gillan

00:40:26 Rep. Milburn

00:40:57 Sen. Gillan

00:41:05 Mr. Briggs

00:41:24 Chairman Esp

00:41:33 Harold Blattie, Montana Association of Counties (MACo)

00:42:11 Sen. Jackson

00:42:33 Rep. Milburn

00:43:03 Sen. Jackson

00:43:13 Mr. Blattie

00:43:48 Sen. Barkus

00:44:17 Mr. Briggs

00:44:36 Sen. Barkus

00:45:11 Mr. Briggs

00:45:36 Sen. Barkus
00:46:25 Mr. Blattie
00:47:06 Sen. Barkus
00:47:50 Mr. Blattie

Closing by Sponsor:

00:48:20 Rep. Milburn

Distributed to Committee members after hearing HB 623
EXHIBIT(los54a05)

00:50:21 Recess

HEARING ON HB 45

Opening Statement by Sponsor:

00:55:10 Rep. Pat Ingraham (R), HD 13, opened the hearing on HB
45, Compliance with federal law for forest reserve
payments.

Proponents' Testimony:

00:58:52 Harold Blattie, Executive Director, MACo
01:01:06 Gordon Morris, Lewis and Clark County

Opponents' Testimony:

01:01:58 None

Informational Testimony:

01:02:01 None

Questions from Committee Members and Responses:

01:02:08 None

Closing by Sponsor:

01:02:21 Rep. Ingraham

EXECUTIVE ACTION ON HB 45

01:03:33 **Motion:** Sen. Erickson moved that **HB 45 BE CONCURRED IN.**

Discussion:

01:03:45 Sen. Essmann

01:03:57 **Vote:** Motion that **HB 45 BE CONCURRED IN** carried unanimously by voice vote. Sen. Laslovich voted by proxy. Sen. Curtiss will carry the bill on the Senate floor.

HEARING ON HB 563

Opening Statement by Sponsor:

01:05:03 Rep. Deborah Kottel (D), HD 20, opened the hearing on HB 563, Legalization of county roads.

Proponents' Testimony:

01:09:23 Harold Blattie, Executive Director, MACo
01:12:56 Gordon Morris, Lewis and Clark County, Montana County Road Services
01:14:38 Steve White, Gallatin County Commissioner

Opponents' Testimony:

01:15:24 Andy Skinner, self
EXHIBIT(los54a06)
01:21:14 Steve Skinner, self
01:24:44 Bill Gallagher, self
01:30:11 Cory Swanson, for Chuck Denowh, United Property Owners of Montana

Informational Testimony:

01:30:39 None

Questions from Committee Members and Responses:

01:30:46 Sen. Essmann
01:31:22 Rep. Kottel
01:31:49 Sen. Essmann
01:32:06 Rep. Kottel
01:33:05 Sen. Essmann
01:33:56 Rep. Kottel

01:36:16 Sen. Erickson
01:37:28 Rep. Kottel
01:38:32 Sen. Jackson
01:40:08 Rep. Kottel
01:40:54 Sen. Jackson
01:41:53 Chairman Esp
01:43:26 Sen. Barkus
01:43:57 Mr. A Skinner
01:44:04 Sen. Barkus
01:44:09 Mr. A Skinner
01:44:37 Sen. Barkus
01:44:41 Mr. A Skinner
01:45:12 Sen. Gallus
01:45:47 Rep. Kottel
01:45:54 Sen. Essmann
01:46:11 Mr. Blattie
01:47:21 Sen. Tutvedt
01:47:52 Mr. Blattie
01:48:29 Sen. Tutvedt
01:49:38 Rep. Kottel
01:49:45 Sen. Tutvedt
01:49:55 Rep. Kottel

Closing by Sponsor:

01:50:20 Rep. Kottel

HEARING ON HB 545

Opening Statement by Sponsor:

01:51:37 Rep. Chas Vincent (R), HD 2, opened the hearing on HB 545, Revise membership of county compensation boards.

Proponents' Testimony:

01:56:35 Harold Blattie, Executive Director, MACo
01:56:59 Gordon Morris, self
01:58:03 Steve White, Chairman, Gallatin County Commissioners

Opponents' Testimony:

01:59:30 None

Informational Testimony:

01:59:32 None

Questions from Committee Members and Responses:

01:59:35 Sen. Jackson
02:01:00 Rep. Vincent
02:01:14 Sen. Jackson
02:01:44 Chairman Esp
02:02:01 Sen. Essmann
02:02:18 Rep. Vincent
02:03:39 Sen. Essmann
02:03:56 Chairman Esp
02:04:40 Sen. Barkus
02:04:52 Rep. Vincent

Closing by Sponsor:

02:05:05 Rep. Vincent
02:06:30 Chairman Esp

(Sen. Laslovich entered the room.)

EXECUTIVE ACTION ON HB 545

02:07:05 **Motion/Vote:** Sen. Gallus moved that **HB 545 BE CONCURRED IN**. Motion carried unanimously by voice vote. Sen. Esp will carry HB 545 on the Senate floor.

02:07:46 Chairman Esp

(Sen. Gillan and Sen. Essmann absent from room)

EXECUTIVE ACTION ON HB 324

02:09:02 **Motion:** Sen. Barkus moved that **HB 324 BE CONCURRED IN**.

02:09:05 **Motion:** Sen. Barkus moved that **HB 324 BE AMENDED**.
EXHIBIT(los54a07)

Discussion:

02:09:29 Sen. Barkus

02:10:34 **Vote:** Motion that **HB 324 BE AMENDED** carried unanimously by voice vote. Sen. Gillan and Sen. Essmann voted by proxy.

02:10:47 **Motion/Vote:** Sen. Barkus moved that **HB 324 BE CONCURRED IN AS AMENDED**. Motion carried unanimously by voice vote. Sen. Gillan and Sen. Essmann voted by proxy. Sen. Jackson will carry HB 324 on the Senate floor.

ADJOURNMENT

Adjournment: 5:00 P.M.

Rachel Saul, Secretary

Additional Documents:

EXHIBIT ([los54aad.pdf](#))